

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 20317 of 2016 (O&M)

Date of decision: 24.10.2016

M/s Brother International India Pvt. Ltd.

...Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL.
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Varun Chadha, Advocate
for the petitioner (In CWP No. 20317 of 2016)

Mr. R.Jawahar Lal, Advocate
for the petitioner (In CWP No. 20870 of 2016)

Mr. Chetan Jain, Advocate for Mr.J.S.Bedi, Advocate
for the petitioner (In CWP No. 20496 of 2016)

Mr. Jagmohan Bansal, Addl. A.G., Punjab.
for the respondents.

RAJESH BINDAL , J.:

This order will dispose of three writ petitions bearing CWP Nos. 20317, 20870 and 20496 of 2016, as common law and facts are involved. However, the facts have been taken from CWP No.20317 of 2016.

The grievance of the petitioner is that even though no demand notice for payment of the amount of penalty levied was issued, still the bank guarantee furnished by the petitioner at the time of release of goods was sought to be encashed.

The learned counsel for the petitioner referred to the earlier order passed by this Court in *CWP No. 20878 of 2016* titled as *M/s Bhavika Overseas vs. State of Punjab and another*, decided on 04.10.2016 and stated that this petition can be disposed of in terms of the aforesaid order.

The stand taken by learned counsel for the State is that the process as noticed in the earlier order passed by this Court in M/s Bhavika Overseas's case (Supra) shall be applied in the present cases as well.

After hearing learned counsel for the parties, the present petitions are disposed of in terms of order passed in M/s Bhavika Overseas's case (Supra).

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

24.10.2016
hemlata

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No